

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1952 No. 95

Overgelegd aan de Staten-Generaal door de Minister
van Buitenlandse Zaken

A. TITEL

*Notawisseling tussen de Nederlandse en de Canadese Regering
betreffende Canadese effecten; Ottawa, 10 April 1952*

B. TEKST

I

MINISTER OF FINANCE
CANADA

Ottawa, April 10, 1952.

*His Excellency A. H. J. Lovink,
Ambassador of The Netherlands to Canada,
168 Laurier Avenue East,
Ottawa, Ontario.*

Excellency:

Careful consideration has been given to the proposals made by representatives of the Government of The Netherlands with respect to safeguarding the rights of bona fide holders of bonds of Canada that were looted from their Netherlands owners during the recent war. Appended as a schedule to this letter is a list of the bonds in question as furnished by your Government.

The Government of Canada is prepared to agree to arrangements in the following terms:

1. The Government of Canada will arrange with the Bank of Canada to issue a duplicate of each of the bearer bonds specified in the schedule hereto for the benefit of the true owner of the original bond. In the case of those bonds that, at the date of this

agreement, have matured or been called for redemption, the principal amount payable on redemption will be paid into the account mentioned in paragraph 4 hereunder for the benefit of the true owner. By true owner, I mean the person who, at law, is entitled to present the original bond at maturity for redemption and to receive payment therefor.

2. Since it is not possible for the Bank of Canada to determine whether or not the coupons belonging to a bond specified in the schedule have been presented and paid, or to identify such a coupon in time to prevent payment to an unauthorized holder, the duplicates of the bonds will be issued without coupons and interest will be paid only on presentation of coupons belonging to the original bond.

3. Each duplicate bond so issued will be delivered to the Government of The Netherlands in trust for the true owner of the corresponding original bond and the Government of The Netherlands will thereupon deliver each duplicate bond into the custody of the Bank of Canada pending redemption or delivery thereof to the true owner.

4. The proceeds of the redemption of any duplicate bond that is redeemed while in the custody of the Bank of Canada will be paid into a special account in the Bank of Canada to the credit of the Government of The Netherlands which will regard the money in the account as belonging to the true owner of the corresponding original bond.

5. The Government of The Netherlands agrees that the Bank of Canada may, before releasing from its custody any duplicate bond lodged with it or before making any payment out of the account mentioned in paragraph 4 above, require evidence that the Minister of Finance of Canada consents to the release or payment and that the bond is to be delivered or the payment made to the true owner of the corresponding original bond or the proceeds of redemption that are to be paid.

6. The Government of The Netherlands will attempt to find the bonds specified in the schedule and will give to the Government of Canada any information it receives concerning the loss, theft or destruction of each bond, the whereabouts of each bond and the facts relied upon by all claimants to the ownership of each bond. If any such bond comes into the possession, ownership or control of the Government of The Netherlands, the Government of Canada or the Bank of Canada, the Government of The Netherlands will instruct the Bank of Canada to cancel the corresponding duplicate bond, or if the duplicate bond is no longer in the custody of the Bank of Canada, will cause it or the corresponding original bond to be delivered to the Bank of Canada for cancellation; or if the bond has been redeemed, the Government of The Netherlands will cause the original bond to be delivered to the Bank of Canada for cancellation.

7. The Government of The Netherlands will indemnify and save harmless the Government of Canada and the Bank of Canada against and from all loss, costs, damages, expenses and claims, whether litigated or not, that may result directly or indirectly from the issue or delivery of duplicate bonds under this agreement, or any subsequent transactions or payments relating to or induced by the existence of the duplicate bonds, or in any way arising out of this agreement.

8. These arrangements will be reviewed by the Government of Canada and the Government of The Netherlands before December 31, 1955, with a view to making any revision thereof that may be considered desirable.

If the foregoing arrangements and undertakings are agreeable to your Government, I should appreciate a reply from you to that effect. This letter and your reply accordingly will constitute a binding agreement between our respective Governments. The Government of Canada understands that your Government proposes to give publicity to the foregoing arrangement and has no objection to this proposal.

Accept, Excellency, the assurances of my highest consideration.

(s.) D. C. ABBOTT.

SCHEDULE

I. Bonds of Canada for which duplicates will be issued.

3 % Canada Perpetual Loan 1936

P1E 2583	1 × \$ 1000
P1E 6439	1 × \$ 1000
P1E 7632	1 × \$ 1000
P1E 13841	1 × \$ 1000
P1E 30424	1 × \$ 1000
P1E 30425	1 × \$ 1000
P1E 39767	1 × \$ 1000
P1E 43306	1 × \$ 1000
P1E 43692	1 × \$ 1000

II. Bonds of Canada that have matured or been called for redemption-proceeds to be paid into Special Account in the Bank of Canada.

5 % Canada External Loan 1922/52

17199 1 × \$ 1000

3 % Canada External Loan 1938/68

E 34446 1 × \$ 1000

ROYAL NETHERLANDS EMBASSY

No. 637

Ottawa, April 10th, 1952.

Dear Mr. Minister,

I have the honour to acknowledge receipt of your letter of April 10th, 1952, with respect to safeguarding the rights of bona fide holders of bonds of Canada that were looted from their Netherlands owners during the recent war.

The arrangements and undertakings, as specified therein, are agreeable to my Government.

Your letter and my reply accordingly constitute a binding agreement between our respective Governments.

Accept, Mr. Minister, the assurances of my highest consideration.

(s.) A. H. J. LOVINK,
Netherlands Ambassador.

*Hon. D. C. Abbott,
Minister of Finance,
Confederation Building,
Ottawa, Ont.*

G. INWERKINGTREDING

De bij deze notawisseling tot stand gekomen overeenkomst is op 10 April 1952 in werking getreden.

Uitgegeven de *elfde* Augustus 1952.

De Minister van Buitenlandse Zaken,
STIKKER.